

Board of Registration of Massage Therapy

OCTOBER 5, 2020 MEETING MINUTES

A posted public meeting of the Massachusetts Board of Registration in Massage Therapy (the Board) was held remotely via video and telephone conferencing pursuant to an Executive Order issued by the Governor of Massachusetts dated March 12, 2020 suspending certain provisions of the open meeting law.

Attending: Members: Paul Andrews/Vice Chair, Alexei Levine, Ellen Walker, Secretary,
Sheri Miller-Bedeau, Kimberlee Schuler
Members absent: none
Staff: Danielle O'Neil, Executive Director and Sheila York, Board Counsel

MT Public Meeting
Monday, October 5, 2020 2:00PM – 3:41PM (EDT)

Please <https://global.gotomeeting.com/join/863190285>

Meeting Called to Order – 2:00PM by Paul Andrews

Evacuation procedures – Paul Andrews confirmed everyone was aware of their evacuation procedure
Remote meeting procedures - Paul Andrews did a sound check to confirm everyone could hear all members, and noted all votes will be by roll call (last name, how you vote).

Board Meeting Business

- Paul Andrews acknowledged Saskia Cote, former Board Chair, and expressed appreciation for her years of service.
- Introduction of new board members Sheri Miller Bedeau and Kimberlee Schuler
- Sheila York spoke to board regarding roles of Board members and processes
- Motion to accept 8.10.20 minutes as presented; Alexei Levine motioned; Ellen Walker seconded
 - Paul Andrews took vote by roll call
 - Members in favor: Paul Andrews, Alexei Levine, Ellen Walker, Kimberlee Schuler
 - Members abstained: Sheri Miller Bedeau
 - Members opposed: None; Motion passed
- Review and approve 2021 MT meeting dates; Alexei Levine motioned to accept; Ellen Walker seconded
 - Paul Andrews took vote by roll call
 - Members in favor: Paul Andrews, Alexei Levine, Ellen Walker, Sheri Miller Bedeau, Kimberlee Schuler
 - Members opposed: None; Motion passed

Correspondence

- Update on Sports Clips; Paul Andrews stated fact finding needed to be completed; will bring to next meeting

Board Counsel Report

- Proposed Regulation Changes - Sheila York explained that the Board could amend its regulations to require the passage of an examination prior to licensure; she explained the long process to amend regulations; discussed Commissioner D'Emilia's recommendations. Paul Andrews suggested sending the Commissioner's letter to new Board members. Paul Andrews appealed to the public for input, especially written comments, and stressed the importance of that input. Public comments should be sent by email to Board address. The Board will continue to discuss the following topics at future Board meetings:
 - National; Exam
 - CE Requirements
 - Interviewing Compliance Officers
 - Other suggested changes
- Hearing Decisions [Closed Quasi-Judicial Session G.L. c. 30A, s. 18(d)] – Tabled until later in the meeting.

Discussion

- New School Regulation proposal: Tabled

Compliance Monitoring

- 2019-000729-IT-ENF [Eric D'Errico] – Consent agreement discipline not the establishment license; Paul Andrews motioned to invite each proposed monitor in for interviews, so moved by Alexei Levine, seconded by Sheri Miller Bedeau
 - Paul Andrews took vote by roll call
 - Members in favor: Paul Andrews, Alexei Levine, Ellen Walker, Sheri Miller Bedeau, Kimberlee Schuler
 - Members opposed: None; Motion passed

New Business/ Open session for topics *(not reasonably anticipated by chair 48 hours in advance of meeting)*

- Next month elect Board Officers
- Public Comment

Executive Session

- **Application Review:**
 - **2020-50-MT-MT-APP [BM]**
 - **2020-2020-75-MT-MT-APP [AL]**
 - **2020-109-MT-MT-APP [DL]**
- **Monitoring matter : 16035-MT-MT [AR]**

- Paul Andrews noted that the review of the above-referenced applications and monitoring matter involves the discussion of confidential information and requires the Board to go into Executive Session pursuant to G. L. c. 30A, §21(a) (7) for the purpose of complying with G. L. c. 66, § 10, G. L. c. 4, § 7, ¶ 26(a) (statutory exemption) and (c) (privacy exemption), and for the monitoring matter to comply with G. L. c. 66, § 10, G. L. c. 4, § 7, ¶ 26(c) (medical record information)]. The Chair estimated that Executive Session would last for 15 minutes and be followed by Closed Session under G.L. c. 112, s. 65C. He noted that there were no further items scheduled for discussion in public session.

Kimberlee Schuler motioned to go into Executive Session; so, seconded by Alexei Levine,

- Paul Andrews took vote by roll call
- Members in favor: Paul Andrews, Alexei Levine, Ellen Walker, Sheri Miller Bedeau, Kimberlee Schuler
- Members opposed: None; Motion passed

Investigative And Settlement Conference [closed session pursuant to G.L. c. 112, §65C]

- Report of Actions taken in Closed session:
 - 2019-000036-IT-ENF – Discussed settlement terms with the prosecutor and board counsel.

Adjourn – 3:41PM Motioned by Alexei Levine; seconded by Kimberlee Schuler;

Paul Andrews took vote by roll call

Members in favor: Paul Andrews, Alexei Levine, Ellen Walker, Sheri Miller Bedeau, Kimberlee Schuler

Members opposed: None; Motion passed

Next meeting is October 19, 2020 at 9:00AM

Respectfully submitted,

Ellen Walker
Board Secretary

List of Documents Used in the Public Session

Agenda October 5, 2020 meeting
Draft Minutes of 8.10.20 meeting